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# **Warrant for the Annual Town Meeting**

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**Town of Freetown  
Commonwealth of Massachusetts**

**Monday, June 3, 2019  
7:30pm**

**Freetown Elementary School Auditorium  
43 Bullock Road, East Freetown, MA 02717**

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BRISTOL, SS:

To either of the Constables of the Town of Freetown, GREETING:

In the name of the Commonwealth you are hereby required to notify and warn the inhabitants of the Town of Freetown who are qualified to vote in the Elections and Town Affairs to meet in the Freetown Elementary School Auditorium, 43 Bullock Road, East Freetown, Massachusetts, on Monday, the Third day of June, 2019, at 7:30 P.M., then and there to act on the following Articles, viz:

**ARTICLE 1:** To see if the Town will vote to raise and appropriate, and/or transfer such sums of money as may be necessary to defray the Town charges for the Fiscal Year 2020, viz: General Government, Public Safety, Health & Human Services, Public Works, Education, Culture & Recreation, Interest and Principal Debt, Town Wide Fueling, and Unclassified: SRPEDD Assessment, Retirement, Insurances, Medicare and Transfers, Capital Equipment, Capital Building & Other Property Improvements, and/or take any action relative thereto.

Submitted by the Board of Selectmen  
Requires Majority Vote

EXPLANATION OF ARTICLE: This Article serves as the introductory Article for presentation of the Omnibus Budget.

**ARTICLE 2:** To see if the Town will vote to fix the salary and compensation of all elected officers of the Town as provided by Chapter 41, Section 108 of the General Laws, as amended, for the Fiscal Year 2019, and/or take any action relative thereto.

	Voted FY 2019	Dept. Request FY 2020	Finance Committee / Selectmen Recommendation FY 2020
Moderator	\$432	\$432	\$150/meeting
Board of Selectmen (each)	\$6,000	\$6,000	\$6,000
Town Clerk	\$56,100	\$57,225	\$57,225
Board of Assessors (each)	\$4,192	\$4,192	\$4,192
Tree Warden	\$21.48/hr	\$22.50/hr	\$22.00/hr
Highway Surveyor	\$69,865	\$71,262	\$71,262
Regional District School Committee (each)	\$1,106	\$1,106	\$1,106

Submitted by the Board of Selectmen  
Requires Majority Vote

EXPLANATION OF ARTICLE: Elected officials are not covered under Article 10 of the *Personnel Classification and Compensation Plan* or under a union contract. This is the only avenue to adjust elected official salaries to keep pace with inflation and contractual increases to other employees.

**ARTICLE 3:** To see if the Town will vote to approve the sum of eight hundred fifty-six thousand, eight hundred thirteen dollars (\$856,813.00) to operate the Water-Sewer Enterprise Fund for FY 2020, with an appropriation for the following direct expenses:

Personnel:	\$ 92,870.00
Expenses:	<u>\$ 684,150.00</u>
Total:	\$ 777,020.00 in the Water-Sewer Enterprise fund

and the sum of \$ 79,793.00 for indirect costs appropriated in the general fund as part of the Omnibus Budget, with all costs totaling \$856,813.00 and supported by funds from Water-Sewer Enterprise receipts, or take any other action relative thereto.

Submitted by the Water & Sewer Commission  
Requires Majority Vote  
Recommended by the Finance Committee

EXPLANATION OF ARTICLE: This is the operating budget for the Water-Sewer Enterprise fund presented in accordance with M.G.L. chapter 44, section 53F ½.

Total Water-Sewer Enterprise Budget (information purposes only)

<i><b>Direct Expenses:</b></i>		<i><b>Indirect Costs (in the general fund):</b></i>	
Salaries	\$92,870.00	Finance	\$19,855.00
Purchase of Services	\$596,050.00	Utilities	\$971.00
Purchase of Supplies	\$20,500.00	IT service	\$1,268.00
Other Charges	\$1,100.00	Insurance	\$26,150.00
Replacement equipment	\$15,000.00	Retirement	\$24,758.00
Unforeseen Reserve	\$50,000.00	Gen'l Admin	\$7,191.00
Debt Service (ST interest)	\$1,500.00	Less Int Credit	\$ - 400.00
Subtotal	\$777,020.00	Subtotal	\$79,793.00

**ARTICLE 4:** To see if the Town will vote to transfer thirty-nine thousand five hundred dollars (\$39,500) from the unexpended funds appropriated by the vote taken under Article 4 of the June 5, 2017 Special Town Meeting for the Water Capital Project Fund, funded with a transfer from the Stabilization Fund for engineering services related to an automated chemical compliance system for the existing filtration site; and to transfer thirty thousand, five hundred dollars (\$30,500) from the unexpended funds appropriated by the vote taken under Article 19 of the June 5, 2017 Special Town Meeting for the Water Capital Project Fund, funded with a transfer from the Capital Stabilization Fund for the design, permitting and construction of DEP mandated upgrades to the water filtration facility; for a total sum of seventy thousand dollars (\$70,000) to be used for the new purpose of installing 7 permanent bleeders to meet the DEP conditions for acceptable THM level requirements; and/or take any action relative thereto.

Submitted by the Water & Sewer Commission  
Requires Majority Vote  
Recommended by the Finance Committee

EXPLANATION OF ARTICLE: This article will repurpose \$70,000 of existing unused appropriations in the Water Capital Project Fund. One original appropriation was to be used for engineering services for an automated chemical compliance system at the existing filtration site. The existing site with the filters is currently inactive due to the use of 5 temporary bleeders. The other appropriation, originally funded in the amount of \$650,000, was to be used to design, permit and start construction of a new filtration facility. Currently, DEP is allowing the use of temporary bleeders to address the levels of THM during the warm weather months. If the results of water testing during calendar year 2019 of THM levels

meet the DEP requirement, permanent bleeders will need to be installed and the need for a new filtration facility will no longer be required.

**ARTICLE 5:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of ten thousand, five hundred dollars (\$10,500.00) for the PK Valuation software license and Webhosting, and/or take any action relative thereto.

Submitted by the Board of Assessors  
Requires Majority Vote  
Recommended by the Finance Committee

EXPLANATION OF ARTICLE: This annual charge is for the software license needed to maintain the Assessment database and access field cards on the Town website.

**ARTICLE 6:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of thirty three thousand dollars (\$33,000.00) to pay the third and final installment of the FY20-FY24 Revaluation Program, and/or take any action relative thereto.

Submitted by the Board of Assessors  
Requires Majority Vote  
Recommended by the Finance Committee

EXPLANATION OF ARTICLE: To provide for the first installment consulting services for the five (5) year revaluation program.

**ARTICLE 7:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of eleven thousand one hundred and sixty-five dollars (\$11,165) for the Freetown Elementary School Phase 2 Security System Upgrade, including incidental and related costs, and/or take any action relative thereto.

Submitted by the Freetown-Lakeville Regional School District  
Requires Majority Vote  
Recommended by the Finance Committee

EXPLANATION OF ARTICLE: Phase 2 security upgrades for Freetown Elementary School.

**ARTICLE 8:** To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of two thousand dollars (\$2,000.00) to pay for the public purpose of supporting the Sexual Assault and Domestic Violence Program of the New Bedford Women's Center, Inc., and/or take any action relative thereto.

Submitted by the Board of Selectmen  
Requires Majority Vote  
Recommended by the Finance Committee

EXPLANATION OF ARTICLE: This article provides for funding shelter, crisis intervention, counseling, medical and legal advocacy and educational programs to the community in relation to the issue of rape, sexual assault, and domestic violence.

**ARTICLE 9:** To see if the Town will vote to raise and appropriate, and/or transfer from available funds, the sum of forty-five thousand dollars (\$45,000.00) to resurface the main (Bullock Road) driveway of the Freetown Elementary School, including incidental and related costs, and/or take any action relative thereto.

Submitted by the Highway Surveyor  
Requires Majority Vote (or Two-Thirds if funding is from stabilization fund)  
Not Recommended by the Finance Committee

EXPLANATION OF ARTICLE: This article would allow for repaving the driveway.

**ARTICLE 10:** To see if the Town will vote to raise and appropriate, and/or transfer from available funds, the sum of twenty-five thousand dollars (\$25,000.00) for the waterline at Fire Station 2 (County Road) , including incidental and related costs, and/or take any action relative thereto.

Submitted by the Board of Selectmen  
Requires Majority Vote (or Two-Thirds if funding is from stabilization fund)  
Recommended by the Finance Committee

EXPLANATION OF ARTICLE: This article would allow for repairing the water service and for Fire Station 2.

**ARTICLE 11:** To see if the Town will vote to transfer the sum of three thousand dollars (\$3,000.00) from the Sale of Cemetery Lots Account to be used by the Cemetery Commission for maintenance and improvements at the Assonet Burying Ground, and/or take any action relative thereto.

Submitted by the Cemetery Commission  
Requires Majority Vote  
Recommended by the Finance Committee

EXPLANATION OF ARTICLE: This is an annual appropriation. According to state law, revenues from lot sales may only be spent for the benefit of the cemetery in which those lots were sold.

**ARTICLE 12:** To see if the Town will vote in accordance with General Laws Chapter 115, Section 9, to raise and appropriate, and/or transfer from available funds, the sum of five hundred dollars (\$500.00) for the maintenance of veterans' graves, and/or take any action relative thereto.

Submitted by the Cemetery Commission  
Requires Majority Vote  
Recommended by the Finance Committee

EXPLANATION OF ARTICLE: This is an annual article that funds the maintenance of certain veterans' graves in town as provided by M. G. L. Chapter 115, Section 9.

**ARTICLE 13:** To see if the Town will vote to raise and appropriate, and/or transfer from available funds, the sum of three thousand, five hundred dollars (\$3,500.00) for maintenance and improvements to lanes and drainage at the Assonet Burying Ground, and/or take any action relative thereto.

Submitted by the Cemetery Commission  
Requires Majority Vote  
Not Recommended by the Finance Committee

EXPLANATION OF ARTICLE: These funds would allow for repaving the last segment of the main driveway and for drainage improvements in two low areas at the cemetery.

**ARTICLE 14:** To see if the Town will vote to authorize the Board of Selectmen to enter into tax exempt lease purchase (TELP) financing agreements with All American Investment Group, LLC to acquire (1) an ambulance, and (2) a dump truck, each of which may be financed by the issuance of debt, for a term up to the useful life of the property, being 4 years, to be procured as determined by the Board of Selectmen, pursuant to M.G.L. Chapter 44, Section 21C, and furthermore the sum needed to satisfy the first year payment of these agreements will be separately identified, raised, and appropriated in the capital budget section of the Omnibus Budget for FY20, and/or take any action relative thereto.

Submitted by the Fire Chief & the Highway Surveyor  
Requires Two-Thirds Vote  
Recommended by the Finance Committee

EXPLANATION OF ARTICLE: This article is necessary for the purchase of the ambulance. M.G.L. Chapter 44, Section 21C establishes the procedure governing the use of TELP financing agreements. This article complies with this statute allowing departments through the Board of Selectmen to enter into financing agreements for capital assets. The departments that use TELP agreements are reported in the capital budget section of the Omnibus Budget, along with the appropriation needed to satisfy the agreement. Any TELP agreement under this section shall be considered a binding obligation of the Town as if it were a debt authorization under this chapter agreement, provided an appropriation available for the purpose has been made in the fiscal year in which the lease becomes effective.

**ARTICLE 15:** To see if the Town will vote to authorize the Board of Selectmen to enter into a tax exempt lease purchase (TELP) financing agreement with All American Investment

Group, LLC to acquire police cruisers that may be financed by the issuance of debt, for a term up to the useful life of the property, being 3 years, to be procured as determined by the Board of Selectmen, pursuant to M.G.L. Chapter 44, Section 21C, and furthermore the sum needed to satisfy the first year payment of this agreement will be separately identified, raised and appropriated in the capital budget section of the Omnibus Budget for FY20, and/or take any action relative thereto.

Submitted by the Chief of Police  
Requires Two-Thirds Vote  
Recommended by the Finance Committee

EXPLANATION OF ARTICLE: This article is necessary for the continuation of the cruiser lease program established in 2004 by the Board of Selectmen and Finance Committee.

**ARTICLE 16:** To see if the Town will vote to accept the provisions of M.G.L. Chapter 59, Section 5, Clause 37A, which would increase from four hundred thirty seven dollars and fifty cents (\$437.50) to five hundred dollars (\$500.00) the property tax exemption amount available for blind persons, and/or take any action relative thereto.

Submitted by the Board of Assessors  
Requires Majority Vote  
Recommended by the Finance Committee

EXPLANATION OF ARTICLE: This article would increase the property tax exemption for blind persons from \$437.50 to \$500.00.

**ARTICLE 17:** To see if the Town will amend the General Bylaws, Article 10, Personnel Classification and Compensation Plan, Section 10.9, Compensation Plan Employees – Pay Scale, by deleting the current language as follows:

<b>Pay Scale (Years)</b>	<b>1</b>	<b>3</b>	<b>5</b>	<b>10</b>	<b>15</b>	<b>20</b>	<b>25</b>
Animal Control Officer	\$20.35	\$20.55	\$20.96	\$21.80	\$22.89	\$24.50	\$26.70
Asst. Animal Control Off.	\$14.00	\$14.14	\$14.42	\$15.00	\$15.75	\$16.85	\$18.37
Board of Health Agent	\$33.12	\$33.45	\$34.12	\$35.49	\$37.26	\$39.87	\$43.46
Building Commissioner	\$35.79	\$36.15	\$36.87	\$38.35	\$40.26	\$43.08	\$46.96
COA Director	\$24.89	\$25.14	\$25.64	\$26.67	\$28.00	\$29.96	\$32.66
Library Director	\$27.18	\$27.45	\$28.00	\$29.12	\$30.58	\$32.72	\$35.66

and inserting in place thereof the following language:

The Salary for the following positions shall be set by the Board of Selectmen on an annual basis or upon hire. Said positions may be eligible for periodic pay increases, or upon annual performance evaluation. Further, the holder of positions named below shall not be involved in any negotiations with respect to salaries.

Animal Control Officer  
Assistant Animal Control Officer  
Board of Health Agent  
Building Commissioner  
Council on Aging Director  
Library Director

And/or take any action relative thereto.

Submitted by the Board of Selectmen  
Requires Majority Vote  
Recommended by the Finance Committee

EXPLANATION OF ARTICLE: To amend the Personnel By-Law to allow the Board of Selectmen to annually set the rate for the above listed positions, and to establish the pay rate upon hiring an employee.

**ARTICLE 18:** To see if the Town will vote to amend the General Bylaws, Article 17, Animal Control, Section 17.10 Penalties by deleting the language in this section in its entirety and inserting in place thereof the following language:

- A) The enforcing authority of this by-law shall be the Animal Control Officer and the Police Department.
- B) In addition to any other remedies available in law or equity and/or the Town's by-laws, including criminal penalties and/or injunctive relief, the Town may elect to enforce this Article through non-criminal disposition in accordance with Article 25. In such cases, the penalties shall be as follows:
  - A) Section 17.2 Licenses: If a dog or kennel remains unlicensed after September 1<sup>st</sup> \$50.00 (in addition to the original license fee and any late fees accrued)
  - B) Section 17.3 Rabies: \$50.00 for first violation, \$100.00 for 2<sup>nd</sup> violation, \$300.00 for 3<sup>rd</sup> violation and \$500.00 for 4<sup>th</sup> and subsequent offense per animal.
  - C) Section 17.4 Restraint: \$50.00 for first violation, \$100.00 for 2<sup>nd</sup> violation, \$300.00 for 3<sup>rd</sup> violation and \$500.00 for 4<sup>th</sup> and subsequent offenses and the municipality may order the animal spayed or neutered.
  - D) Section 17.5 Impoundment: \$40.00 per violation
  - E) Section 17.6 Feces: \$50.00 for first violation, \$100.00 for 2<sup>nd</sup> violation, \$300.00 for 3<sup>rd</sup> violation and \$500.00 for 4<sup>th</sup> and subsequent offenses
  - F) Section 17.8 Nuisance or Dangerous Dogs or Other Animals: The penalty will be \$50.00 for first violation, \$100.00 for 2<sup>nd</sup> violation, \$300.00 for 3<sup>rd</sup> violation and \$500.00 for 4<sup>th</sup> and subsequent offenses.
  - G) Section 17.9 Tethering \$50.00 for first violation, \$100.00 for 2<sup>nd</sup> violation, \$300.00 for 3<sup>rd</sup> violation and \$500.00 for 4<sup>th</sup> and subsequent offenses.



And/or take any action relative thereto.

Submitted by the Animal Control Officer  
Requires Majority Vote  
Recommended by the Finance Committee

EXPLANATION OF ARTICLE: to have our by-laws match the Paws II Law that was passed in November 2018:

Whenever a complaint is sought in a district court for a violation of an ordinance or bylaw made under the provisions of section 173, the clerk shall send a written notice to the person complaint against stating that such a complaint has been sought and will issue unless such person appears before such clerk and confesses the offense either personally or through an agent duly authorized in writing, or by mailing to such clerk, with the notice the fine provided here in. The fine for the first offense committed by a person shall be \$50. The fine for a second offense shall be \$100 the fine for a third offense shall be \$300 and for a fourth or subsequent offense the fine shall be \$500 and the Municipality may order the animals spayed or neutered. Payment shall be made only by a money order or check. Notwithstanding the foregoing procedure and schedule of fines, but subject to all other provisions of this section, a city or town may, by ordinance or by law, provide for an alternative procedure and a different schedule of fines; provided, however, that the fines shall not be lower than those stated in this section. Notwithstanding this section, a municipality may seek a remedy under section 157 for a nuisance dog.

**ARTICLE 19:** To see if the Town will vote to amend Article 11, Section 11.29 of its Protective By-laws, relative to Planned Mixed-Use Overlay District, by moving Section 11.29 H “Density and Dimensional Requirements” to the Rules & Regulations Governing Development within the Planned Mixed-Use Development Overlay District (PMUD), and/or take any action relative thereto. The text of the section is on file at the Town Clerk’s office at the Town Hall, 3 North Main Street, Assonet, MA.

Submitted by the Planning Board  
Requires Two-Thirds Vote  
The Finance Committee Makes No Recommendation

EXPLANATION OF ARTICLE: This article would move Article 11, Section 11.29 H “Density and Dimensional Requirements” to Rules & Regulations Governing Development within the Planned Mixed-Use Development Overlay District (PMUD). This would allow the Planning Board to grant waiver requests to projects that would otherwise be ineligible due to strict regulations.

**ARTICLE 20:** To see if the Town will vote to amend the Town of Freetown Protective By-laws, Article 11, Zoning By-laws, Section 11.18 H. 1., Table of Use Regulations, within the row titled “Truck Stop” by deleting “SP” and inserting “N” in columns for the Industrial and Industrial/2 Districts, and/or take any other action relative thereto.

**See proposed change to the table of use regulations below**

Use	R	B	I	I/2	G	OSR	VR	VB	STOD
Truck Stop	N	N	N	N	N	N	N	N	SP

Submitted by the Planning Board

Requires Two-Thirds Vote

Recommended by the Finance Committee

EXPLANATION OF ARTICLE: This article would change the current Table of Use to disallow Truck Stops in the Industrial and Industrial/2 Districts.

**ARTICLE 21:** To see if the Town will vote to amend the Town of Freetown Zoning Map, by changing the zoning districts to reflect the zoning classification changes approved at the October 2018 Special Town Meeting, as shown on the map on file in the Office of the Town Clerk and/or take any action relative thereto.

Submitted by the Planning Board

Requires Two-Thirds Vote

Recommended by the Finance Committee

EXPLANATION OF ARTICLE: This article would amend the Town of Freetown Zoning Map to reflect the zoning classification changes that were voted in at the October 2018 Special Town Meeting. The parcels that were rezoned were owned by the Conservation Commission, the Department of Conservation and Recreation (Freetown State Forest), and municipal water departments and were changed from their previous zoning to Open Space & Recreation.

**ARTICLE 22:** To see if the Town will vote to amend the Town of Freetown Protective By-laws, Article 11, Zoning By-laws, Section 11.3 E, Lot Coverage, by inserting the words “(excluding any structure that does not require a building permit or permanent foundation; above-ground pools; driveways and walkways)” after “Maximum percentage of land covered by structures”, and/or take any action relative thereto.

Submitted by the Planning Board &amp; the Zoning Enforcement Official

Requires Two-Thirds Vote

Recommended by the Finance Committee

EXPLANATION OF ARTICLE: To clarify which types of structures and which types of activities should be included when determining lot coverage.

**ARTICLE 23:** To see if the Town will vote to amend the by-law or take action relative there to:

Town by law Article 1.1 Town Meeting A. Posting of Warrants Every Town meeting shall by a Warrant directed to a constable, or other duly appointed person, by posting attested copies of the said Warrant in not less than (six) 6 public places in the Town at least (30) days before the time of holding the Annual Meeting, and at least thirty (30) days before the time of holding any special Town Meeting.

- A. Availability of Warrants- A copy of the Warrant containing the Articles shall be made available to all registered voters at least thirty (30) days before the time of holding the business portion of the Annual Meeting, and at least (30) days before the time of holding any special Town Meeting

Submitted by Citizen's Petition  
Requires Majority Vote  
The Finance Committee Makes No Recommendation

**ARTICLE 24:** To see if the Town will vote to amend the by-law or take action relative there to:

Town by law Article 1.1 Town Meeting A. Posting of Warrants Every Town meeting shall by a Warrant directed to a constable, or other duly appointed person, by posting attested copies of the said Warrant in not less than (six) 6 public places in the Town at least (30) days before the time of holding the Annual Meeting, and at least thirty (30) days before the time of holding any special Town Meeting.

- A. Availability of Warrants- A copy of the Warrant containing the Articles shall be made available to all registered voters at least thirty (30) days before the time of holding the business portion of the Annual Meeting, and at least (30) days before the time of holding any special Town Meeting

Submitted by Citizen's Petition  
Requires Majority Vote  
The Finance Committee Makes No Recommendation

**ARTICLE 25:** To see if the Town will vote to raise and appropriate the sum of \$\_\_\_\_\_ for the purpose of supplementing the Capital Stabilization Fund, and/or take any action relative thereto.

Submitted by the Board of Selectmen  
Requires Majority Vote  
Recommended by the Finance Committee

EXPLANATION OF ARTICLE: This appropriation would add funds to the Capital Stabilization Fund to be used for purchasing capital assets or payment of related debt service on capital assets. Any proposed use of the fund would require a 2/3 vote of town meeting.

**ARTICLE 26:** To see if the Town will vote to raise and appropriate the sum of \$ \_\_\_\_\_  
for the purpose of supplementing the Stabilization Fund, and/or take any action relative  
thereto.


Submitted by the Board of Selectmen  
Requires Majority Vote  
Recommended by the Finance Committee

EXPLANATION OF ARTICLE: This appropriation would add funds to the Stabilization Fund to be used for any lawful purpose. The Stabilization Fund is a “rainy day fund” or reserve to support the Town during times of financial stress. Any proposed use of the fund would require a 2/3 vote of Town Meeting.

And you are hereby directed to serve this Warrant by posting attested copies thereof at the following places: Assonet Post Office, East Freetown Post Office, the stores of Quick Pic in East Freetown, Junior’s Convenience Store and Freetown Town Hall, and the Freetown Communications Center.

Hereof, fail not and make return of the original Warrant with your doings thereon immediately after making service thereof to the Town Clerk of the Town of Freetown, Massachusetts.

Given under our hands and seal of the Town of Freetown, this thirteenth day of May, Anno Domini, Two Thousand Nineteen.



Charles B. Sullivan, Chairman



Lisa A. Pacheco



George L. Grunwald

**FREETOWN BOARD OF SELECTMEN**